

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

CARLOS RAMIREZ	:	No. 4:08-CV-1034
Plaintiff	:	
	:	Judge Jones
v.	:	
	:	Magistrate Judge Mannion
JERRY MARTINEZ, <i>et al.</i> ,	:	
Defendants	:	

MEMORANDUM

August 14, 2009

This matter is before the Court on the July 1, 2009 Report and Recommendation (“R&R”) of Magistrate Judge Mannion (Doc. 75) which recommends that plaintiff Carlos Ramirez’s complaint be dismissed. No objections to the R&R have been filed.¹

When, as here, no objections are made to a magistrate judge’s report and recommendation, the district court is not statutorily required to review the report before accepting it. *Thomas v. Arn*, 474 U.S. 140, 149 (1985). According to the Third Circuit, however, “the better practice is to afford some level of review to dispositive legal issues raised by the report.” *Henderson v. Carlson*, 812 F.2d 874, 878 (3d Cir. 1987). “[T]he court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” Fed. R. Civ. P.

¹ Objections were due on or before July 20, 2009. To this date, none have been filed.

72(b), advisory committee notes; *see also Henderson*, 812 F.2d at 878-79 (stating “the failure of a party to object to a magistrate's legal conclusions may result in the loss of the right to *de novo* review in the district court”).

As noted above, no objections to the R&R have been filed. Because the Court agrees with the sound reasoning of the Magistrate Judge, we will adopt the R&R in its entirety. With a mind towards conserving judicial resources, the Court will not rehash the reasoning of the Magistrate Judge. Rather, we attach a copy of the R&R, as it accurately reflects our consideration and resolution of the matter. An appropriate order will be entered.